

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

In re:

**PUSHMATAHA COUNTY – CITY OF
ANTLERS HOSPITAL AUTHORITY,**

Debtor.

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Case No. 16-81001
Chapter 9

PATIENT CARE OMBUDSMAN REPORT

Deborah Burian, the duly appointed patient care ombudsman, pursuant to 11 U.S.C. § 333(b)(2) files hereby her ninth periodic report, for the period February 20, 2018 to April 20, 2018.

/s/ Mark B. Toffoli

Mark B. Toffoli OBA # 9045

THE GOODING LAW FIRM, P.C.
204 North Robinson Ave., Suite 605
Oklahoma City, Oklahoma 73102
TELEPHONE: (405) 948-1978
TELEFACSIMILE: (405) 948-0864
EMAIL: mtoffoli@goodingfirm.com

ATTORNEYS FOR
DEBORAH BURIAN

Patient Care Ombudsman's Ninth Report in re: Pushmataha County Hospital – City of Antlers Healthcare Authority

Case 16-81001

COMES NOW, Deborah Burian, Patient Care Ombudsman ("Ombudsman") and pursuant to 11 U.S.C. 333 submits her Ninth report.

Factual Background

On the 20th day of October 2016, the United States Trustee for the Eastern District of Oklahoma appointed Deborah Burian as Patient Care Ombudsman in the case of Pushmataha County Hospital – City of Antlers Healthcare Authority

This is the Ombudsman's Ninth report and includes the reporting period from February 20, 2018 to through April 20, 2018.

Basis of Review

As a condition of participation in Medicare, the primary payor for most hospitals, facilities must be surveyed and ensured to be in compliance with the Conditions of Participation (42 CFR Part 485 Subpart F) by an approved body. This survey is completed by a state regulatory agency (Oklahoma State Department of Health - OSDH) or a private accrediting agency; most commonly the Joint Commission on Health Care Accreditation (JCAHO). Either of these bodies will assess the hospital for compliance upon initial certification and approximately every three years thereafter. Hospitals may choose whether to be certified by the state agency or a private accreditation body such as JCAHO.

Pushmataha County Hospital, herein referred to as "Pushmataha" is certified by the Oklahoma State Department of Health (OSDH).

Pushmataha also participates in the Medicare program as a "Swing Bed" facility and is certified to provide Skilled Nursing Facility (SNF) to approved patients.

Care standards are established by regulation; regulations are then translated at the federal and state levels with "interpretive guidelines." These guidelines provide a map for the generally accepted quality of care which must be provided. States may have additional guidance; where that guidance may differ at the state and federal levels, the more stringent regulation applies. Throughout the Ombudsman's monitoring role, in addition to other issues which may arise, Ombudsman is assessing whether observed care and services meet those requirements.

Sixty-Day Review

During this period, Ombudsman remained in contact with facility, received calls and emails from administration and patients and remotely monitored facility operations related to patient care. On last visit facility shared on-line access to quality assurance and other documents which improved the opportunity to monitor issues off site.

Facility has made excellent progress in bringing therapeutic diets in line with physicians' orders. Being able to order commercial items resolved a number of issues with portioning and availability of specialty items. The kitchen had continued to have an issue with consistent hot water at the hand washing sink, per Controller this is scheduled to be addressed by replacing the in-line recirculating pump.

Subsequent to the bankruptcy proceedings, facility needed to make arrangement to have routine equipment maintenance issues addressed. Review of scheduled maintenance suggests there may be some remaining gaps, these will be assessed on the next site visit.

There have been no calls or complaints from patients, family members or providers.

In the next 60 days Ombudsman will conduct a site visit and continue monitoring any issues of concern.

Wherefore, Ombudsman, Deborah Burian prays the court accept and approve this 60-day report of Deborah Burian and for such other relief as the Court deems just and appropriate.

Respectfully submitted,

Deborah Burian
2125 NW 28th St.
Oklahoma City, OK
73107
(405) 623-0778